



UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GARY T. WINNETT, et al,)	
)	
Plaintiffs,)	Case No. 3:06-CV-00235
)	
v.)	Hon. Aleta A. Trauger
)	
CATERPILLAR INC.,)	Mag. Judge Joe B. Brown
)	
Defendant.)	CLASS ACTION

**MOTION FOR LEAVE TO FILE *INSTANTER*
CORRECTED MEMORANDUM IN SUPPORT OF
MOTION FOR RECONSIDERATION OF
COURT'S SUMMARY JUDGMENT RULING**

Caterpillar moves for leave to file *instante* a corrected memorandum of law in support of its October 18, 2010 motion for reconsideration of the Court's summary judgment ruling. (R. 475, Def. Motion for Reconsideration). Caterpillar's proposed corrected memorandum of law is attached hereto as Exhibit 1.

As explained in Caterpillar's memorandum in support of this motion, the proposed corrected memorandum of law does not make any substantive changes to Caterpillar's originally-filed memorandum of law, but rather corrects two typographical errors.

WHEREFORE, Caterpillar prays that the Court accept the attached corrected memorandum of law in support of Caterpillar's October 18, 2010 motion for reconsideration of the Court's summary judgment ruling.